

FILED

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U.S. BANKRUPTCY COURT

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:) Case No.: 19-13905-AMC
TIMOTHY SCOTT KICHLINE)
Debtor.) Chapter 13
) **APPLICATION TO RECOVER DEBT
 DUE DEBTOR AND FOR AN ORDER
 FOR DETERMINATION OF RIGHTS IN
 REAL PROPERTY**
)
)

To: The Honorable Ashley M. Chan United Stated Bankruptcy Court Judge.

I.

Debtor applies to this court for an order under 11 U.S.C. §323(b) and Bankruptcy Rule 701(2) to determine interests in real property. This court has jurisdiction over this action under 28 U.S.C. §1471, as made applicable by §405(b) of Public Law 95-598.

II.

Included in the schedule of assets of the debtor is certain real property described as: 495 Berger Road, City of Easton, County of Northampton, State of Pennsylvania which to debtor's knowledge that he was the legal owner. He can produce a Warranty Deed of the said premises at a hearing on this application. The premises were deeded from the debtor's mother years ago. A copy of the deed is attached and marked Exhibit "A."

III.

Upon examination of the debtor, the debtor can show that an alleged tax lien sale of the real property was conducted, undertaken, and concluded for an inadequate amount of consideration in comparison to debtor's interest in the real property as listed on his schedules.

The debtor in good faith offered the party in adverse possession adequate protection payments; a copy of Official Form B1130 is attached and marked Exhibit "B."

IV.

In light of the above facts, debtor brings this application for a determination by the Court fixing the respective interests of the alleged purchaser and the debtor to the real estate referred to. Debtor is informed and believes that Fannie Mae a/k/a Federal national Mortgage Association has not legal or equitable interest other than a homestead interest in the premises described herein as against the claims of this debtor to the trustee on behalf of the debtor's creditors.

V.

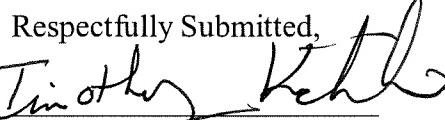
The premises in question is worth upwards of \$205,000.00 (Two-Hundred and Five-Thousand Dollars.

VI.

Debtor is without adequate legal remedy, and debtor avers that this application is filed only for the purpose of fixing the rights of debtor in the property, so that this debtor may proceed and maintain possession of the real property and the Chapter 13 Plan Payments to satisfy the claims of the creditors.

Wherefore, debtor prays that the court determine the rights and responsibilities of the parties; decree that the property is property of the debtor; and that debtor may have such other and further relief in the premises as shall be agreeable to equity and good conscience.

Dated: August 5, 2019

Respectfully Submitted,

Timothy S. Kichline
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Debtor Pro se